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GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF :
Triangle Group, LLC, : Case # 15-CC-00135
t/a The Huxley :
1370 M Street Northwest :
License #89394 :
Retailer CN ANC 2F :
Wednesday, March 9, 2016 :

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Wednesday, March 9, 2016

Whereupon, the above referenced matter
came on for hearing at the Alcoholic Beverage
Control Board, Reeves Center, 2000 14th Street,
N.W., Suite 400 S, Washington, D.C. 20009.

1 CHAIRPERSON: DONOVAN ANDERSON, Presiding

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3 MEMBERS OF THE BOARD

4 NICK ALBERTI, BOARD MEMBER

5 RUTHANNE MILLER, BOARD MEMBER

6 JAMES SHORT, BOARD MEMBER

7 MIKE SILVERSTEIN, BOARD MEMBER

8

9 OTHER PERSONS PRESENT

10 FERNANDO RIVERO, ESQ

11 On Behalf of District of Columbia

12 MICHAEL FONSECA

13 On behalf of The Huxley

14 RYAN SEELBACH

15 On behalf of the Huxley

1 P R O C E E D I N G S

2 CHAIRPERSON ANDERSON: All right, thank
3 you. all right The next case on our agenda is
4 Case #15-CC-00135, the Huxley, license #89394.
5 Would the parties please approach?

6 MR. RIVERO: Good morning, board members,
7 Fernando Rivero for the District of Columbia.

8 MR. FONSECA: Michael Fonseca on behalf
9 of the licensee.

10 MR. SEELBACH: Ryan Seelbach, Managing
11 Member of The Huxley.

12 CHAIRPERSON ANDERSON: Good morning. Are
13 there any preliminary matters in this case?

14 MR. RIVERO: Yes, the parties have an
15 offer in compromise to present to the board at
16 this time. That offer consists of a fine of
17 \$5000 payable immediately -- oh, payable by
18 Friday. Payable by Friday. No problem with the
19 government here. Also, the suspension of the
20 license for 10 days with 6 days suspended for a
21 period of one year pending no further violations,
22 and four days to be served. And those days are

1 served Thursday, March 31s through and including
2 Sunday, April 3rd, those being days that the
3 licensee is regularly open, and employees that
4 sell or serve alcoholic beverages are to
5 undertake alcohol awareness training within 90
6 days. If the check with the \$5000 isn't paid by
7 Friday the license will be suspended until the
8 payment is received. That is the offer in
9 compromise.

10 CHAIRPERSON ANDERSON: Thank you. I
11 can't see the record for Friday so I'm looking at
12 my calendar to get the date of Friday. All
13 right. Good morning, Mr. Fonseca. On behalf of
14 your client, it is my understanding that there is
15 an offer in compromise for \$5000 that would be
16 payable by Friday, March 11, that six days will
17 be suspended, four days to be served and the four
18 days are March 31st through April 3, 2016, which
19 days that the establishment is normally in
20 operation and that all employees who serve
21 alcohol will undertake the alcohol training
22 within 90 days. Is this your understanding on

1 behalf of your client of the offer in compromise?

2 MR. RIVERO: It is, and they've already
3 moved forward since the incident which relates
4 back to October 31, so four servers have been
5 trained and they probably have three more left
6 and an additional four securities had their full
7 security training which has an alcohol component
8 and probably another four, so this will --
9 they'll clearly get this done well before the 90
10 days, but they are actively involved in that.
11 For the record, the notice was received, it's
12 been read, it's understood and we are reading it
13 into the record.

14 CHAIRPERSON ANDERSON: Okay, thank you.
15 And just one last thing. I mean, for my
16 purposes, does your client understand that by
17 accepting this offer in compromise that he has
18 waived -- they have waived their right to a
19 hearing?

20 MR. RIVERO: Yes.

21 CHAIRPERSON ANDERSON: And that you're
22 waiving your right to appeal this matter?

1 MR. RIVERO: Yes.

2 CHAIRPERSON ANDERSON: I then make a
3 motion that the offer in compromise of \$5000
4 payable by March 11, 2016, for a 10 day
5 suspension, six days to be served, suspended for
6 one day, one year four days to be served March
7 31st through April 3rd, 2016, that employees to
8 undertake alcohol training within 90 days; I make
9 a motion that this matter be accepted. Is there
10 a second?

11 MS. MILLER: Second.

12 CHAIRPERSON ANDERSON: Ms. Miller seconds
13 the motion. Is there any discussion by the board
14 members? Hearing none, all those in favor say
15 "aye." [Chorus of Ayes.]

16 All those opposed? [No audible
17 response.]. The matter passes 5-zero-zero and
18 Ms. Walker will bring in orders to sign. Thank
19 you very much.

20 MR. RIVERO: Thank you.

21 MR. SEELBACH: Thank you.

22 MR. FONSECA: Thank you.

1 (Whereupon the above-entitled matter was
2 concluded) .